

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	CRIMINAL NO.04-CR10166(RGS)
)	
)	
V.)	
)	
DAVID CARL ARNDT)	
AND)	
DONALD BING MCGILVRAY)	

UNOPPOSED MOTION TO AMEND CONDITIONS OF RELEASE

NOW COMES the Defendant Donald Bing McGilvray and moves this Court to amend his conditions of release to allow him to travel out of state from Friday, November 3, 2005 through Sunday, November 6, 2005 in order to attend the "Acts of Recovery" Seminar at the Eastminster Presbyterian Church in York, Pennsylvania. In support thereof, the Defendant says the following:

1. His current terms of release restrict the Defendant's travel out of the Commonwealth of Massachusetts;
2. Attached hereto as Exhibit 1 is a letter from David W. Perry with a flyer describing a proposed trip to attend a "AA" sponsored seminar dealing with "Acts of Recovery", Mr. McGilvray will be traveling to the Seminar with his "AA" sponsor and a group of individuals from the Fields Corner "AA" Group;
3. Ms. Judy Oxford, who is supervising Mr. McGilvray on behalf of Federal pretrial services, has indicated to Counsel that she has no objection to Mr. McGilvray traveling for purposes of attending this conference;
4. Assistant United States Attorney Nancy Rue has informed Counsel that she does not oppose this Motion.

Respectfully submitted,
Defendant, Donald Bing McGilvray
By his attorney

/s/ Michael W. Reilly, Esq.

Michael W. Reilly, Esq.
Tommasino & Tommasino
Two Center Plaza
Boston, MA 02108
(617) 723-1720
BBO#415900

EXHIBIT 1

**DAVID W. PERRY
10 GUILDSTREET
ROXBURY, MASSACHUSETTS 02119**

**TELEPHONE: (781)-727-9147
FACSIMILE: (617)-541-2812**

November 1, 2005

**Tommasino and Tommasino
2 Centre Plaza
Boston, MA 02108**

Attn: Michael Reilly, Esquire

Dear Mr. Reilly,

I am writing at this time on behalf of my friend and “spouse” in Alcoholics Anonymous, Donald “Bing” McGilvray.

I am submitting a request on Donald’s behalf that he be allowed permission to accompany me to the “Acts of Recovery” Mini-Conference scheduled to take place on Saturday, November 5, 2004 in York, Pennsylvania.

Enclosed please find the flyer for the “Acts of Recovery” Mini-Conference. I have attended several of these conferences over the last three years and each has proven to provide all in attendance with a powerful message of recovery.

I am always excited to bring with me someone who is as willing to follow my direction as is Don. Don has been working closely with me since early July, 2005. Since meeting Don, I have seen him doing quite well in the pursuit of his recovery.

Today Don is actively pursuing his relationship with the God. We have talked often on the reality of the fact that there is no human power which will keep us sober...that we need to find a Power...and that it has to be a Power that is bigger than us. Don is on his way to finding that Power.

I would like to request permission that Don be allowed to travel with me to York, PA over the weekend of November 4-6, 2005 to attend the “Acts of Recovery” Mini-Conference. Angela Battle, one of our home group members from the Fields Corner Group, is scheduled to be one of the speakers.

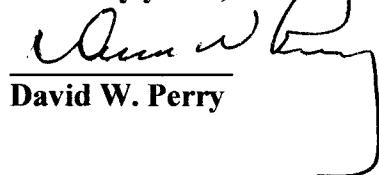
This being the case, I anticipate that we will be traveling to York with a caravan of friends and group members joining us for this event. Don will not only be surrounded by his fellow group members and friends, he will also enjoy a powerful experience which will only serve to enhance his recovery.

Don will be by my side the entire weekend. All Don has to do is to get into my car when I come to pick him up on Friday, November 4, 2005. We will be staying at the Days Inn, Rte 30/Arsenal Road, York, PA.

Please feel free to contact me should you have any questions concerning this matter. My cell phone number is 781-727-9147.

Please accept my sincere thanks for your kind consideration regarding this request.

Sincerely yours,


David W. Perry

ACTS OF RECOVERY

York, PA

Saturday November 5th, 2005 – 12 Noon to 5 PM

12:00 - 1:00pm
Rich H. ~ Philadelphia, PA
"Spiritual Principles"

1:15 – 2:15pm
Karen L. ~ York, PA
"Love and Tolerance"

2:15 – 2:45pm Light Lunch Provided

2:45 - 3:45pm
Angela B. ~ Boston, MA
"Came to Believe"

4:00 – 5:00pm
Al D. ~ Middletown, PA
"Vision for You"

CONFERENCE RECORDING'S ARE AVAILABLE

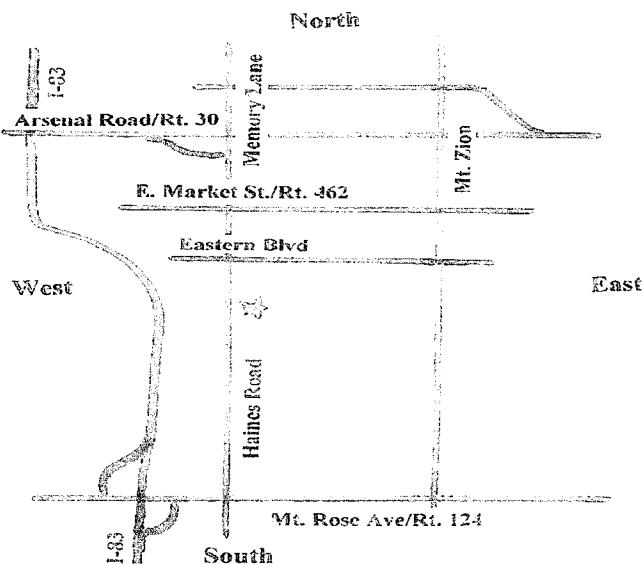
Eastminster Presbyterian Church
311 Haines Road
York, PA 17402

From the North on I-83 South, take exit 18 (Mt. Rose Ave/Rt. 124). Go left on Mt. Rose, then get into far left lane, make left at second light (Haines Road). Church is $\frac{1}{2}$ mile on right. If you hit a stop light, you've gone too far.

From the South on I-83 North, take exit 18 (Mt. Rose Ave/Rt. 124). Go right on Mt. Rose, then immediately get into far left lane, make left at first light (Haines Road). Church is $\frac{1}{2}$ mile on right. If you hit a stop light, you've gone too far.

From the West on Rt. 30 East, take the Memory Lane exit, go right on Memory Lane. Memory lane becomes Haines Road. Church is $\frac{1}{2}$ mile on left after passing Market St. (Rt. 462).

From the East on Rt. 30 West, take the Mt. Zion exit, go straight across Mt. Zion, turn left at next light (Memory Lane). Memory lane becomes Haines Road. Church is $\frac{1}{2}$ mile on left after passing Market St. (Rt. 462).



Contacts: Ben 717-324-6765, Barb 717-324-3860,

Hearing Impaired: ASL Interpreter available with advance notice

Related meeting & conference information - www.intoaction.org

Conference & Speaker Meeting Recordings - www.greatfact.org